

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DENNIS K. SUDBERRY,

v.

ISIDRO BACA, et al.,

Petitioner,

Respondents.

Case No. 3:15-cv-00361-RCJ-WGC

ORDER

On November 9, 2015, this court dismissed this *pro se* habeas corpus petition without prejudice because petitioner acknowledged on the face of the petition that he had not exhausted any of his claims (ECF No. 5). Judgment was entered, and the Clerk was directed to send petitioner two copies of the application to proceed *in forma pauperis* and the court's form for a 28 U.S.C. § 2241 habeas petition (ECF Nos. 5, 6).

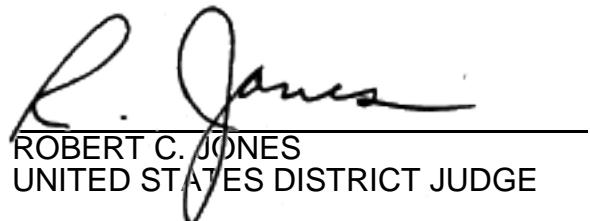
Now before the court are petitioner's motion for clarification—in which he asks the court which of the eight cases he has filed is his habeas petition—as well as a motion to reinstate case (ECF Nos. 8, 9). With respect to the first motion, as stated in this order, this closed action is a § 2241 habeas petition. Regarding the second motion, if petitioner seeks to pursue federal habeas relief, he shall file a new case, with a new case number and a new fully completed application to proceed *in forma pauperis* or the \$5.00 filing fee.

IT IS THEREFORE ORDERED that petitioner's motion for clarification and motion for status check (ECF Nos. 8 and 11) are **GRANTED** as set forth in this order.

IT IS FURTHER ORDERED that petitioner's motion to reinstate the case (ECF No. 9) is **DENIED** as set forth in this order.

IT IS FURTHER ORDERED that petitioner's motion for recusal of district judge (ECF No. 13) is **DENIED** as meritless.

DATED: 19 August 2016.



ROBERT C. JONES
UNITED STATES DISTRICT JUDGE